FOR MYSORE STATE

Dev (1950) Department

YS SERIES.

G.O. No. 2669

Dated 7-7-50.

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[Despatch Abstract.]

Labour Awards - Summaries of recommendations on awards - Publication within one month to H.M. in charge of information and Publicity and H.E.M.-II copies - Reg

THE EMPLOYERS' FEDERATION OF SOUTHERN INDIA.

POST BOX .No.35.
PHONE NO.4488.

DARE HOUSE.
MADRAS, 18th April 1951.

My dear Ramunni Menon,

I have been instructed by my Committee to take up a certain grievance "at high Government level", and hope you will not mind my writing to you D.O. on the subject, since I believe it is within your own dispensation.

2. The grievance concerns adjudication proceedings and the appearance of press reports on the more important of these- press reports which may, or may not, be official communiques - long before the protagonists in the proceedings are allowed to know of the official acceptance by Government of the Tribunal's Award.

3- A very recent instance, among several that I could quote, is that of the Burmah-Shell adjudication (Industrial Dispute No.24) of 1950 before the Second Industrial Tribunal, Madras). As you may imagine, there were a large number of concerns waiting with interest to hearhow things went, to say nothing of Burmah-Shell themselves. On March 22nd and 23rd there were press reports in The Mail and The Hindu purporting to give a resume of the Tribunale's Award. On March 30th Burmah-Shell wrote to this Federation to say that they still had no official advice as regards the Award at all, although they had seen the press reports; they expected it at least to be published in the Gazette of March 29th; in point of fact, there was no official notification by Government until the Gazette No.14 A was published late in the evening on Tuesday, April 3rd.

4- I know that you will appreciate that in causes célebres of this kind, both employers and employees of the protagonists, and ditto of many many firms comparably placed, are liable to be seriously unsettled if the public is bandying about details of salaries, leave, bonus, etc., etc., for which there is no official foundation, nor can the firms deal with the numerous enquires certain to be interchanged in the interim between the proceedings and the publication of the Award.

5. If you could have orders passed somewhat to the effect that the verdicts in these judicial proceedings should make their first appearance under official auspices only, and that as speedily as possible after the completion of the Award, my Committee would be very grateful.

Yours Sincerely,
Sd/.....

K. Ramunni Menon, Esqu,
Chief Secretary to the Government of Madras.
Fort St. George.
Madras.

-True copy-

RR.18.4

Copy of letter No.44481 P.I/51-1 dated 4-5-51 from the Secretary to Government, Development, Department, Fort St. George. to the Secretary The Employees' Federation of Southern India, Dare House, Madras.

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Sub: Labour- Adjudication proceedings -Press reports

Ref: Your D.O. dated 18-4-51 to the Chief Secretary to Government of Madras.

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I am directed to state that the press reports giving summaries of the awards of Industrial Tribunals, including the one relating to Burma-Shell Company referred to in your letter, are only official communiques and are intended to serve as information of the outlines of the award to the parties concerned.

-True copy-

RR.1A.a

Post Box. No.35
Phone : No.4488.

THE EMPLOYERS' FEDERATION OF SOUTHERN INDIA

DARE HOUSE.
MADRAS,15th May 1951.

The Secretary to Government of Madras.
Development Department,
Fort St. George, Madras.

Dear Sir,

Sub: Labour - Adjudication proceedings-Press Reports.

Ref: Your letter No.44481 P1/51-1 dated 4th May 1951.

I am directed to state that for the reasons already given in my D.O. letter dated 18th April, it would be far better for all persons concerned in Industrial Disputes if no press notes were issued on the subject of the findings of Industrial Tribunals until the Awards have been officially released by publication in the Gazette.

I request therefore that Government will arrange to take the necessary steps and pass orders that official communiques giving the outlines of Tribunal Awards should be discontinued forthwith.

Yours faithfully,

Sd/.....
Secretary.

RR.18.8

-True copy-

Copy of letter No.54193 P.I/51-1 dated 23-5-51 from the Secretary Development Department, Fort St. George, to the Hon Secretary The Employees Federation of Southern India, Dare House, Madras.

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Sub: Labour - Adjudication prpceedings-Press reports.

Ref: Your letter dated 15-5-51.

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I am directed to state that the Government see no reason to accept the suggestion of the Federation to discontinue press releases on awards of Industrial Tribunals-

-True copy-

RR.18.8

Superintendent.

Note File 1

Dev. Dept.

Sub: Labour – Awards– Issue of a summary of the recommendations in the awards for the use of the Press.

To A.S.

In July 1946 while approving the awards of the adjudicator in the disputed between the workers and managements of the Madras Electric Supply Corporation and between the workers and managements of the Madras Electric Tramways, the late Hon'ble Minister Mr.V.V. Giri, who was then in charge of Labour ordered that a summary of the recommendations in the awards should always be given for the use of the Press. Following his orders summaries of the awards are being sent to P.W.(L. & P.) dept. for release to the Press representatives.

2. The awards are being published in the Fort St. George Gazette and printed copies of the awards are sent to the parties to the dispute. Printed copies of the awards are received from the Govt. Press almost after a month from the date of publication in the Fort. St. George Gazette. If summaries of the awards are released to the Press the parties to the dispute may have an idea of the recommendations in the awards before receiving printed copies of the awards and in important cases the public also may have an idea of the recommendations in the awards. It is therefore submitted that the practice of publishing summaries of awards in newspapers may be continued.

Secy. wanted to know why these summaries are being published. The above note explains the position. The existing practice may continue.

Sd/...
8-6-50.

Yes; but it is better to obtain orders in circulation including H.M(P.W.) and H.C.M. for issuing such press notes without going together the formalities prescribed for other press notes

and releases. Otherwise our practice however ancient may not be in strict confirmity with the rules.

P.S.V.
10-6-50.

P.W.(I & P) Dept.

The notes of Development Department on pages 1-2 above may be perused.

2. Reference is solicited to G.O.No.1767 Public (General) dated 6-8-46 which contains instructions regarding the issue of press notes and communiques by the D.I.P. It was subsequently ordered that press notes and communiques should be circulated to H.M.(R.W.) and H.C.M. It has been laid down in para 5 of the G.O. that unofficial press notes or summaries of important orders communicated by the Depts of the Sectt. may be released by the D.I.P. with a view to give prompt publicity to Govt's activities. Accordingly this Dept. is receiving from the depts of the Sectt. copies of important orders issued by them and the contents of which require publicity, and "press releases" are being issued which are mainly summaries of the orders already issued. Such "press releases" are not circulated to Hon'ble Ministers. 'A' 'B'

3. The summaries issued by the Dev.Dept in regard to the awards of the tribunals are only summaries of the orders issued by the Govt. accepting the recommendations of the tribunals and as such, it does not appear necessary to circulate the summaries to H.M(P.W) and H.C.M. before issue.

With these remarks, the case may be returned to Dev.

Sd/.....
16-6-50.

Summary.

Mr. V.V. Giri who the H.M. in charge of Labour in 1946-47 ordered that a summary of recommendations in awards should always be given for the use of the press. Following his orders summaries of the awards are being sent to P.W.(I & P) Department for release to the Press representatives. The summaries are not being circulated to H.M(P.W.) and H.C.M.

2. According to the instructions issued in G.O.1737 Public (Gen) dated 6-8-46, read with P.W.(I and P) U.O. note dated 31-5-1948 all Press communiques and Press notes should be circulated to the Hon'ble Minister in charge of Information and the H.C.M. before issue. It has also been laid down in the instructions that unofficial press notes or summaries of important orders communicated by the Departments of the Secretariat may be released by the D.I. and P. with a view to give prompt publicity to Government's activities. P.W.(I & P) say that such " Press Releases" are not circulated to Hon'ble Ministers,. That Department consider that the summaries issued by this Department in regard to the awards of the Tribunals are only summaries of orders issued by the Government accepting the recommendations of the Tribunals and as such it does not appear to be necessary to circulate the summaries to H.M.(P.W.) and H.C.M. before issue. In view of this it is for orders whether the summaries of awards of Tribunals may continue to be published without circulation to H.M.(P.W) and H.C.M.

may be agreed to (Sd) P.S.V. 23/6/50

Sd/..... 22-6-50.

Sd/..... 23-6-50.

H.M(L.R). Sd/. H.S.R. 28-6.

H.M(P.W.)Sd/H.B.4-7.

H.C.M. P.S.K. 4-7-50.

Secretary.

-4-

To: A.S.

The papers may be recorded in a G.O. for reference in future

Sd/.....
6-7-50.

G.O.Ms.2669 d/7-7-50.

Labour-Awards-Summaries of recommendations in awards - publication without ~~the~~ circulation to H.M. in charge of Information and Publicity and H.C.M-Papers-Recorded.

DEVELOPMENT DEPT.(P.I)

SUB: LABOUR - Industrial Disputes Act,1947-Awards-Publication of summaries in the Press.

REF: From the Employers' Federation of Southern India dated 18-4-51.

Please see the letter from the Employers' Federation of Southern Indian on p.1.C.F. and the orders of Chief Secretary thereon. Under section 17 of the Industrial Disputes Act, 1947 the Govt. should publish the award of an Industrial Tribunal, within one month from the date of its receipt by Govt. Accordingly, the awards are being publishe in the Fort. St. George Gazette. In 1946, Sri V.V. Giri who was the then H.M. in charge of Labour ordered that a summary of recommendations contained in the awards should always be given for the use of the Press. Following his orders, summaries of the awards are being sent to P.W.(I. & P) Dept. for release to the Press representatives. The usual practice is that while the awards are sent to the Supdt. Govt. Press for publication in the earliest week's gazette. simultaneously summaries are sent to P.W.(I.&P) for release to the Press, with the result that the summaries of awards appear in the Press few days earlier than their publication in the Gazette.

The Employers Federation of Southern Indian in their letter in the c.f. refer to the press reports in the Mail of 22nd March and the Hindu of 23rd March, giving a summary of the award of the Tribunal in the dispute between the workers and the management of Burmah-Shell & Co., and state that

though the company has seen the press reports. there was no official notification by Govt. till the award was published in the Gazette dated the 3rd April 1951. The Federation state that both employers and employees are placed in an embarassing position, by such reports in the Press which have no official foundation, even before the awards are published officially and requests that their recommendations in awards should make their first appearance under official auspices only. The Federation seems to be under the impression that these releases appearing in the Press are unauthorised publications. It is not so. The position is that press notes containing summaries of awards are official releases of the Govt. and are intended to acquaint the parties concerned and/the public at large, the important decisions of Tribunals, before the entire award is published in the Gazette, which would normally take some time. The question of issuing such Press releases was also recently considered and it was decided that the existing practice in this respect should continue-Vide orders at pp.3-4 of (R). The Federation may, therefore, be informed that the press releases referred to by them in their letter are official communiques and are intended to serve as of information of the outlines of the award to the parties concerned. C.S. may see.

The Federation may be informed as suggested at A above.

Sd/..... 28-4-51

Sd/..... C.S.30.4.

I agree. The position is analogous to that of any important case in the High Court where a summary of the judgement appears in the Press long before the full authenticated text is available. These " awards" have the added advantage that the summaries are official.

K.R.M.
C.S.1-5.

Dev.

To: A.S.

A draft letter is submitted for approval.

Sd/....

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Devt. Deptt.

Sub: Labour -Awards- Publication of summaries in the Press.

Ref: From the Employers' Federation of Southern India dated 15-5-51.

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To: A.S.

Please see the letter from the Employers' Federation of Southern India in the c.f. with reference to this Govt's letter on pages 3-4 c.f. of (H). Attention in this connection is invited to the notes on pages ~~3-5~~ 5-6 n.f. of (H) Submitted for orders whether the Federation may be informed that the Govt. see no reason to accept its suggestion to discontinue press releases on the awards of Industrial Tribunals-

Sd/..... 21-5-51.

Sd/..... 22-5.

To: A.S.

A draft letter is submitted for approval.

Sd/..... 23-5-51.

Superintendent.

R.B 18.8
K.V. Ambaj alakesh.
JC. Shankar 19.8.3